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MEMORANDUM

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TO: Ron Daniels, Coordinator of Mined Land Development

FROM: Mike Thompson, Engineering Geologist

DATE: November 8, 1978

SUBJECT: Vipont Mines, Ltd., Vipont Mine - ACT/003/005

On October 19, 1978 I sent a registered letter to Mr. Thomas Miller of Vipont Mines, Ltd., requesting a map and a narrative concerning final grading, stabilization, and revegetation of the Vipont Mine. Mr. Miller was informed that the material was previously requested in a letter dated July 12, 1978, and if the Division did not receive the material by November 12, 1978, the matter would be referred to the Board of Oil, Gas, and Mining. Mr. Miller was also informed that he is in violation of the Utah Mined Land Reclamation Act inasmuch as the mine is operating without approval, two underground entries have been driven, and a stream channel has been covered by developmental waste rock.

Mr. Miller responded with a map and letter received November 6, 1978. The map shows locations of most of the surface facilities. However, the first drift is not shown. The narrative covers tailings disposal, the mine dump at the second underground entry, and channelization of Little Pipe Spring Creek around the heap-leach pad.

Mr. Miller requests that this information be held as confidential. I do not feel that the Act requires this to be treated as confidential since it does not give information concerning the size, nature, or extent of the ore body. I would like to involve the Bureau of Water Quality and the Division of Wildlife Resources in the review of this mine. To do so this information is needed.

Mr. Richard Dewsnap of the Attorney General's Office dictated a letter to Mr. Miller on this date. It was sent by Scheree Wilcox, Secretary of the Board. The letter requests Mr. Miller to come to the Division office prior to November 20, 1978 to complete the procedure. A copy is enclosed.

I have reviewed the file and have made the following observations and suggestions:

- A. Vipont Mines, Limited, has committed to the following:
1. To place reworked tailings within an existing, presently breached dam that is partially vegetated.
 2. To reseed the waste rock dump when the area is stabilized. The slope grades will be approximately 30° on the face and level on the top.
 3. To grade and reseed the disturbed material where applicable with a variety of mountain grasses at a rate of 5 pounds/acre.
- B. To bring the plan into compliance and eligible for approval, Vipont Mines, Limited should commit to the following:
1. Immediately reclaim the disturbance from the underground entry driven adjacent to Pipe Spring Creek. Sealing of the portal, cleaning out the stream channel that is blocked by developmental waste rock, and revegetation should be done. I was informed by Mr. Art Melugin on July 5, 1978 that this drift was abandoned.
 2. Water was discharging from the second underground entry on July 5, 1978. Obtain a N.P.D.E.S. permit for this discharge.
 3. Commit to the following procedures for the removal of tailings from Birch Creek.
 - a. Do not allow machinery to work in or cross within the active stream channel.
 - b. Leave an undisturbed buffer zone of at least 5 feet on each side of the stream channel where vegetation exists. Stretches of the stream where high banks of tailings are contiguous to the active stream can be exempt.
 - c. Reclaim and revegetate, with an approved seed mixture, the stream-bank concurrently, in as much as possible, with tailings removal.
 - d. Notify the Division and the State Engineer prior to any stream diversions.
 - e. Repair the breach in the dike at the tailings disposal site.

Include
mulch

4. Commit to the following procedures for reclamation upon termination of mining.
 - a. Remove the heap-leach facilities including buildings, leach pads, ponds, and chemicals.
 - b. Regrade and reseed with an approved seed mixture, all disturbed areas except roads which are to be left open for access.
 - c. Upgrade the diversion of Pipe Spring Creek around the tailings disposal site if found necessary.
 - d. Reseed the area if necessary.
5. The following information needs to be submitted.
 - a. The proposed final height of the tailings at the disposal site.
 - b. The duration of mining was estimated to be 3 years plus, in the ~~in~~ the Mining and Reclamation Plan dated September 27, 1977. I do not feel this is accurate and should be confirmed.
 - c. Recommendations and possible courses of action are listed below:
 1. Consult with Mr. Miller concerning the matter to resolve the questions.
 2. The Board agreed on July 20, 1977 that Mr. Miller might submit a document such as a contract or personal agreement, in lieu of a bond, whereupon he would affirmatively state that the mined area (old tailings) would be properly reclaimed. Mr. Stewart pointed out to Mr. Miller that at such time as he contemplates full mining operations on adjacent areas, it would be necessary that he follow the required procedure including the posting of a proper bond.

With this in mind, I recommend that a contract be made that includes the commitments outlined in part B of this memo for the tailings operation AND the underground mining operation. A bond should be computed for the underground operation.
 3. Resolve the question of confidentiality of the map and information received November 6, 1978 so that other interested agencies and persons may review the plan.

4. I recommend that the Division consult and work closely with the Bureau of Water Quality and the Division of Wildlife Resources on this mine. Birch Creek is a good quality stream and a fishery.
5. Inform the Board of the situation and violations incurred including the excessive delays in replying, the driving of two underground entries without approval, blocking of Pipe Spring Creek, and the failure to stockpile soil. Vipont Mines, Limited is in violation of Section 40-8-9(3) and prosecution may be considered by the Board.